

**A SUBSTITUTE ORDINANCE
BY FINANCE EXECUTIVE COMMITTEE**

AN ORDINANCE TO AMEND SECTION 146-26 (b), (c), (d), (e) AND (f) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CHANGE THE AD VALOREM TAX RATE OF REAL AND PERSONAL PROPERTY FOR THE GENERAL LEVY, DEBT LEVY, CITY PARKS LEVY, SCHOOL OPERATING LEVY, SCHOOL DEBT LEVY AND THE SPECIAL TAX DISTRICT LEVY; TO PROVIDE THAT THE TAX RATES ESTABLISHED HEREIN SHALL REMAIN FIXED EACH YEAR UNTIL AMENDED OR REPEALED; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is charged with operating and maintaining City Government and is charged by law with the responsibility of annually recommending to the Mayor and City Council the rate of the tax levy to be made; and

WHEREAS, the Atlanta Board of Education is charged with operating and maintaining an independent school system and is charged by law with the responsibility of annually recommending to the Mayor and City Council the rate of the tax levy to be made; and

WHEREAS, Ordinance 10-O-0880 adopted by Council on June 21, 2010 and approved by the Mayor on June 30, 2010 levying the City's 2010 Millage Rates on real and personal property contained a General Levy of 10.24 mill, a Debt Levy of 1.20 mill, a School Operating Levy of 21.64 mill, a School Debt Levy of .054 mill, a Park Levy of .50 mill, and a Special Tax District Levy of one (1) mill; and

WHEREAS, Ordinance 10-O-1695 adopted by Council on October 4, 2010 and approved by the Mayor on October 12, 2010 levying the City's 2010 Millage Rates on real and personal property amended the Special Tax District (Library) Levy contained in Ordinance 10-O-0880 from one dollar (\$1) on every \$1,000 or any part thereof to eight hundred seventy eighth thousandth cents (\$0.878) on every \$1,000 or any part thereof; and

WHEREAS, Section 146-26 (a) provides that the taxes set forth in this Article continue to be levied and assessed each year until amended or repealed, and at this time the Department of Finance desires to amend Section 146-26 (b), (c), (d), (e) and (f) so as to change the ad valorem tax rate of real and personal property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS, as follows:

SECTION 1: That Sections 146-26 (b), (c), (d), (e), and (f) of the Code of Ordinances of the City of Atlanta, which read as follows:

- (b) “General Levy. An ad valorem tax at the rate of fourteen dollars and twenty nine cents (\$14.29) less an amount equal to four dollars and fifty three cents (\$4.53) for the rollback of 2010 anticipated sales tax revenue plus forty eight cents (\$.48) for millage equivalent rate rollback, to yield a net ad valorem tax at the rate of ten dollars and twenty four cents (\$10.24) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose, is hereby levied.”
- (c) “Bonded Indebtedness. An ad valorem tax at the rate of one dollar and twenty five cents (\$1.25) less five cents (\$0.05) for millage equivalent rate rollback to yield a net ad valorem tax at the rate of one dollar and twenty cents (\$1.20) on every \$1,000 or any part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the City of Atlanta, is hereby levied. An ad valorem tax at the rate of fifty-four thousandth (\$.054) on every \$1,000 or part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the Atlanta Board of Education, is hereby levied.”
- (d) “Parks. An ad valorem tax at the rate of fifty two cents (\$0.52) less two cents (\$0.02) for millage equivalent rate rollback to yield a net ad valorem tax at the rate of fifty cents (\$0.50) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State, is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the improvement of the public parks of the city, is hereby levied.”
- (e) “Education Levy. An ad valorem tax at the rate of twenty-one dollars and sixty four cents (\$21.64) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose, is hereby levied.”
- (f) “Special Tax District. An ad valorem tax at the rate of one dollar (\$1.00) on every \$1,000 or any part thereof of all real and personal property within that portion of the City of Atlanta lying in DeKalb County, which under the laws of this State is subject to taxation within the corporate limits of the City of Atlanta in DeKalb County, is hereby amended to read as follows hereby levied.”

Is hereby amended to read as follows:

- (b) “General Levy. An ad valorem tax at the rate of fifteen dollars and fifty-four cents (\$15.54) less an amount equal to five dollars and thirty cents (\$5.30) for the rollback of 2011 anticipated sales tax revenue to yield a net ad valorem tax at the rate of ten dollars and twenty four cents (\$10.24) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose, is hereby levied.”
- (c) “Bonded Indebtedness. An ad valorem tax at the rate of one dollar and twenty cents (\$1.20) on every \$1,000 or any part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the City of Atlanta, is hereby levied. An ad valorem tax at the rate of fifty-four thousandth (\$.054) on every \$1,000 or part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the Atlanta Board of Education, is hereby levied.”
- (d) “Parks. An ad valorem tax at the rate of fifty cents (\$0.50) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State, is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the improvement of the public parks of the city, is hereby levied.”
- (e) “Education Levy. An ad valorem tax at the rate of twenty-one dollars and sixty four cents (\$21.64) on every \$1,000 or any part thereof of the value of all real and personal property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose, is hereby levied.”
- (f) “Special Tax District. An ad valorem tax at the rate of eight hundred seventy-eight hundredths (\$.878) on every \$1,000 or any part thereof of all real and personal property within that portion of the City of Atlanta lying in DeKalb County, which under the laws of this State is subject to taxation within the corporate limits of the City of Atlanta in DeKalb County, is hereby amended to read as follows hereby levied.”

SECTION 2: That the Tax Commissioner of Fulton and DeKalb County, by copy of this Ordinance be and is hereby requested to specifically list all components of both the Bonded Indebtedness Levy of the City of Atlanta and Atlanta Board of Education and the General Levy of the City of Atlanta, as set forth in Section 146-26 (b), (c), (d), (e) and (f) herein, on tax bills to be rendered to citizens of Atlanta.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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WHEREAS, Section 146-26 (a) provides that the taxes set forth in this Article continue to be levied and assessed each year until amended or repealed, and at this time the Department of Finance desires to amend Section 146-26 (b), (c), (d), (e) and (f) so as to change the ad valorem tax rate of real and personal property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy and the Special Tax District Levy.

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property which under the Laws of this State is subject to taxation within the corporate limits of the City for this purpose, is hereby levied.”

- (c) “Bonded Indebtedness. An ad valorem tax at the rate of one dollar and twenty five cents (\$1.25) less five cents (\$0.05) for millage equivalent rate rollback to yield a net ad valorem tax at the rate of one dollar and twenty cents (\$1.20) on every \$1,000 or any part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the City of Atlanta, is here by levied. An ad valorem tax at the rate of fifty-four thousandth (\$.054) on every \$1,000 or part thereof of the value of all real and personal property, which, under the Laws of this State is subject to taxation within the corporate limits of the City for the purpose of raising revenue for the payment of principal and interest on bonded indebtedness for the Atlanta Board of Education, is hereby levied.”
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SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

RCS# 1052
5/16/11
3:56 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 11-O-0745,11-O-0746,11-O-0747,11-O-0748

REFER FINANCE

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Bond
B Hall	Y Wan	Y Martin	Y Watson
Y Young	Y Shook	Y Bottoms	NV Willis
NV Winslow	Y Adrean	Y Sheperd	B Mitchell

MULTIPLE

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Finance/Executive Committee

Caption: AN ORDINANCE TO AMEND SECTION 146-26 (b), (c), (d), (e) AND (f) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CHANGE THE AD VALOREM TAX RATE OF REAL AND PERSONAL PROPERTY FOR THE GENERAL LEVY, DEBT LEVY, CITY PARKS LEVY, SCHOOL OPERATING LEVY, SCHOOL DEBT LEVY AND THE SPECIAL TAX DISTRICT LEVY; TO PROVIDE THAT THE TAX RATES ESTABLISHED HEREIN SHALL REMAIN FIXED EACH YEAR UNTIL AMENDED OR REPEALED; AND FOR OTHER PURPOSES.

Council Meeting Date: May 16, 2011

Requesting Dept.: Department of Finance

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The Department of Finance desires to amend Section 146-26(b), (c), (d), (e), and (f) so as to change the ad valorem tax rate of real and personal property for the General Levy, Debt Levy, City Parks Levy, School Operating Levy, School Debt Levy, and the Special Tax District Levy and to provide that the tax rates established remain fixed each year until amended or repealed.

2. Please provide background information regarding this legislation.

Ordinance is needed to change the ad valorem tax rate of real and personal property to comply with the City Code of Ordinances.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) **Invitations Issued:**

- (e) **Number of Bids:**
- (f) **Proposals Received:**
- (g) **Bidders/Proponents:**
- (h) **Term of Contract:**

4. Fund Account Center: N/A

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By: Yolanda McCrory, submitted by
LaShawn Gardiner, ext. 6449

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE L. BYRD

Dept.'s Legislative Liaison: LaShawn Gardiner

Contact Number: 404-330-6449

Originating Department: Department of Finance

Committee(s) of Purview: Finance/Executive

Chief of Staff Deadline: April 22, 2011

Anticipated Committee Meeting Date(s): May 11, 2011

Anticipated Full Council Date: May 16, 2011

Legislative Counsel's Signature: Charles A. Hall

Commissioner's Signature: Jaya C. DuBois

Chief Information Officer Signature (for IT Procurements) _____

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE TO AMEND SECTION 146-26 (b), (c), (d), (e) AND (f) OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO CHANGE THE AD VALOREM TAX RATE OF REAL AND PERSONAL PROPERTY FOR THE GENERAL LEVY, DEBT LEVY, CITY PARKS LEVY, SCHOOL OPERATING LEVY, SCHOOL DEBT LEVY AND THE SPECIAL TAX DISTRICT LEVY; TO PROVIDE THAT THE TAX RATES ESTABLISHED HEREIN SHALL REMAIN FIXED EACH YEAR UNTIL AMENDED OR REPEALED; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT: (if any)

Mayor's Staff Only

Received by CPO: _____

(date)

Received by LC from CPO: _____

(date)

Received by Mayor's Office: [Signature]

(date)

Reviewed by: [Signature]

(date)

Submitted to Council: _____

(date)